REMARKS

Applicants thank the Examiner for total consideration given the present application. Claims 1-4, 6, and 7 are pending. Claims 1, 3, 6, and 7 are independent. Claim 1 has been amended through this Reply. Applicants respectfully request reconsideration of the rejected claims in light of the amendment and remarks presented herein, and earnestly seek timely allowance of all pending claims.

ALLOWABLE SUBJECT MATTER

Applicants appreciate that claims 6 and 7 are allowed.

CLAIM OBJECTIONS

Claim 1 stands objected for minor informalities. This claim has been amended to address this issue.

35 U.S.C. § 102 REJECTION – Yeh

Claims 1 and 3 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Yeh et al. (U.S. Patent Publication No. 2005/0120203)[hereinafter "Yeh"]. Applicants respectfully traverse this rejection.

For a Section 102 rejection to be proper, the cited reference must teach or suggest each and every claimed element. *See M.P.E.P. 2131; M.P.E.P. 706.02.* Thus, if the cited reference fails to teach or suggest one or more elements, then the rejection is improper and must be withdrawn.

In this instance, Yeh fails to teach or suggest each and every claimed element. For example, amended independent claim 1 recites, *inter alia*, "an update key generating unit . . . to generate ***a new authentication key*** for updating an authentication key to be used in the authentication process by the authentication processing unit ***when the authenticated device holds the authentication key*** but the authentication process with the authenticated device by the

authentication processing unit fails, wherein the authentication processing unit performs the authentication process with the authenticated device again ***based on a prescribed algorithm identifier and a prescribed encryption key identifier***, using the new authentication key generated by the update key generating unit." *Emphasis added.*

It is respectfully submitted that Yeh fails to teach or suggest the above-identified claim feature as recited in claim 1.

As previously submitted, Yeh is directed to a conventional method and system for automatic rekeying upon detection by a client 20 that server authentication has failed. More specifically, the automatic rekeying may include requesting an updated key from a server 10. This request may include an identification of a current public key of the client and the server may access a repository of ***previous*** keys to sign the updated public key sent to the client with a private key ***corresponding to the current public key*** of the client. (*See Abstract.*)

First, Yeh is distinguished from the claimed invention in that nowhere does Yeh teach or suggest that ***when the authenticated device (20) holds the authentication key*** but the authentication process with the authenticated device 20 by the authentication processing unit fails, the updating key unit generates ***a new authentication key*** for updating an authentication key to be used in the authentication process by the authentication processing unit. Indeed, Yeh ***does not require any generation of new keys if the client 20 holds the authentication key***. *Emphasis added.* Yeh merely suggests that when the client 20 ***does not*** hold an authentication key, the server 10 accesses a repository 12 of ***previous keys*** to sign the updated public key sent to the client 20 with a private key ***corresponding to the current public key*** of the client.

The Examiner alleges that in paragraphs 44-45, Yeh discloses the above-identified claim feature regarding generation of the new authentication key for updating the authentication key to be used in the authentication process by the authentication processing unit which is allegedly formed by the combination of the memory unit 136 and the processor 138. It is respectfully submitted that the Examiner's interpretation of the relied upon section is totally erroneous. The

memory unit 136 includes, among other features, an automatic rekey module 260 that carries out the operations related to a server and/or client to rekey a client for server-side authentication utilizing key data. Again, this "rekeying" is performed when the client ***does not*** hold an authentication key. However, Yeh fails to teach or suggest that the automatic rekey module 260 generates a new key if the client does hold an authentication key but fails to authenticate.

Second, nowhere does Yeh teach or suggest that the authentication processing unit (136 and 138) performs the authentication process with the authenticated device again ***based on a prescribed algorithm identifier and a prescribed encryption key identifier***, using the new authentication key generated by the update key generating unit. The Examiner alleges that the memory unit 136 stores a ***prescribed algorithm identifier and a prescribed encryption key identifier*** and again points to paragraphs 44-45 for support. Upon careful review of the relied upon section of Yeh, Applicants find no teaching or suggestion of a prescribed algorithm identifier and a prescribed encryption key identifier which are utilized by the authentication processing unit (136 and 138) to rekey a client for server-side authentication. Although Yeh discloses that the automatic rekey module 260 carries out the operations related to a server and/or client to rekey by utilizing key data, there is no teaching or suggestion in Yeh that this key data includes a ***prescribed algorithm identifier and a prescribed encryption key identifier*** as recited in the claimed invention.

Thus, based on the foregoing, it is respectfully submitted that Yeh does not teach or suggest an update key generating unit which generates ***a new authentication key*** for updating an authentication key to be used in the authentication process by the authentication processing unit ***when the authenticated device holds the authentication key*** but the authentication process with the authenticated device by the authentication processing unit fails, wherein the authentication processing unit performs the authentication process with the authenticated device again ***based on a prescribed algorithm identifier and a prescribed encryption key identifier***, using the new authentication key generated by the update key generating unit.

Amended claim 3 also recites a transmitting unit that transmits ***a prescribed algorithm identifier and a prescribed encryption key identifier*** stored by a memory unit, to an authenticating device ***when the authenticated device holds the authentication key but the authentication process with the authenticating device by the authentication processing unit fails***. At least for the reasons stated above with respect to claim 1, it is respectfully submitted that Yeh cannot be relied upon to teach or suggest the above-identified claim feature of independent claim 3.

Therefore, for at least these reasons, independent claims 1 and 3 are distinguishable from Yeh. Accordingly, Applicant respectfully requests that the rejection of claims 1 and 3, based on Yeh, be withdrawn.

35 U.S.C. § 103 REJECTION – Yeh, Edgett

Claims 2 and 4 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Yeh in view of Edgett et al. (U.S. Patent Publication No. 2004/0034771)[hereinafter "Edgett"]. Claim 2 depends from claim 1 and claim 4 depends from claim 3. Thus, for at least the reasons stated with respect to claims 1 and 3, claims 2 and 4 are also distinguishable from Yeh. Edgett has not been, and indeed cannot be relied upon to fulfill the deficiency of Yeh.

Accordingly, Applicants respectfully request that the rejection of claims 1 and 4, based on Yeh and Edgett, be withdrawn.

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Ali M. Imam Reg. No. 58,755 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

58,755

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